

410 Re PCT/PTO 10 APR 2000 #6

FORM-PTO-1390  
(Rev. 10-96)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

020600-285

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/462,635

INTERNATIONAL APPLICATION NO.  
PCT/GB98/02043

INTERNATIONAL FILING DATE  
13 July 1998

PRIORITY DATE CLAIMED  
11 July 1997

TITLE OF INVENTION  
CATEGORISING NUCLEIC ACID

APPLICANT(S) FOR DO/EO/US  
Günter SCHMIDT, Andrew Hugin THOMPSON

It is requested that this Application be prosecuted on the basis of amended Claims 1 to 36 that are attached to the International Preliminary Examination Report and as further amended in the Preliminary Amendment filed herewith.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.

16. ☐ Other items or information:

RECEIVED

17 APR 2000

Legal Staff  
International Division

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U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) <b>09/462,635</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB98/02043</b>		ATTORNEY'S DOCKET NUMBER <b>020600-285</b>	
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17. <input checked="" type="checkbox"/> The following fees are submitted:	<b>CALCULATIONS</b>	PTO USE ONLY
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ..... \$840.00 (970) International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00 (956) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$690.00 (958) Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00 (960) International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00 (962)		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$ 0.00
Surcharge of <b>\$130.00 (154)</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00
20 <input type="checkbox"/> 30 <input checked="" type="checkbox"/>		
Claims	Number Filed	Number Extra
Total Claims	-20 =	X\$18.00 (966)
Independent Claims	-3 =	X\$78.00 (964)
Multiple dependent claim(s) (if applicable)		+ \$260.00 (968)
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ 130.00
Reduction for 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		\$ 65.00
<b>SUBTOTAL =</b>		\$ 65.00
Processing fee of <b>\$130.00 (156)</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0.00
20 <input type="checkbox"/> 30 <input type="checkbox"/>		
<b>TOTAL NATIONAL FEE =</b>		\$ 65.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (581)</b> per property +		\$ 40.00
<b>TOTAL FEES ENCLOSED =</b>		\$ 105.00
		<b>Amount to be:</b> <b>refunded</b>
		<b>charged</b>

  

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Samuel C. Miller, III  
 BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404

SIGNATURE

**Robin L. Teskin**  
 NAME

**35,030**  
 REGISTRATION NUMBER